

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

YAGEO AMERICA CORP.,

Plaintiff,

v.

FAN-CHU TSENG, *et al.*,

Defendants.

Case No. C06-0227RSL

ORDER REGARDING MOTION  
FOR EXTENSION OF TRIAL DATE  
AND RELATED DATES

This matter comes before the Court on a motion filed by plaintiff Yageo America Corp. (“Yageo”) for a ninety-day extension of the trial date, discovery deadline, and other deadlines. (Dkt. #29). According to the Court’s Minute Order Setting Trial and Related Dates issued on April 27, 2006 (the “Scheduling Order”) and the parties’ subsequent stipulation, the deadlines have already passed to exchange reports from expert witnesses, complete discovery, and file dispositive motions. Motions *in limine* must be filed by February 5, 2007, and the trial is scheduled to begin on March 5, 2007.<sup>1</sup> (Dkt. #18).

<sup>1</sup> The Scheduling Order states, “The Court will alter these dates only upon good cause shown: failure to complete discovery within the time allowed is not recognized as good cause.” (Dkt. #18 at p. 2). Furthermore, Fed. R. Civ. P. 6(b) provides for an extension of a deadline “upon motion made after the expiration of the specified period . .

1 Plaintiff contends that an extension is necessary because the parties suspended their  
2 discovery efforts for approximately four months while they attempted to settle the case.  
3 Defendants oppose the motion because they allege that plaintiff agreed to settle this case  
4 and because plaintiff has not shown good cause for an extension. Defendants filed a  
5 motion, which is currently pending, to enforce the parties' alleged settlement agreement.  
6 Although the Court has not yet determined whether plaintiff has shown good cause for an  
7 extension, both parties have stated that if defendants' pending motion does not resolve  
8 this case, they will need additional time to prepare for trial.

9 Accordingly, the Court will rule on the motion for an extension after it rules on  
10 defendants' pending dispositive motion. In the meantime, the Court STRIKES the trial  
11 date and the remaining upcoming pre-trial deadlines, except that the parties will be  
12 required to conduct a settlement conference and mediation as required by their stipulation  
13 and the Scheduling Order.

14 The Clerk of the Court is directed to renote plaintiff's motion for an extension  
15 (Dkt. #29) for February 2, 2007, which is the noting date for defendants' dispositive  
16 motion.

17  
18 DATED this 19th day of January, 2007.

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21 Robert S. Lasnik  
22 United States District Judge  
23

24  
25 . where the failure to act was the result of excusable neglect.”

26 ORDER REGARDING MOTION  
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